

## Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 L-02 CAB-02 CIAE-00 COME-00

DODE-00 DOTE-00 INR-07 NSAE-00 FAA-00 SS-15 NSC-05

USIE-00 PRS-01 PA-01 /053 W  
----- 129703

R 192121Z MAR 75

FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC 5954

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E.O. 11652: N/A

TAGS: EAIR, CA

SUBJECT: CIVAIR: RATES CLAUSE IN BILATERAL

REF: OTTAWA 1012

1. WHEN SIMARD DELIVERED MARCH 18 NOTE TO EMBASSY, HE INDICATED TO TCO--AS SULLIVAN AND QUIRT OF AIR TRANSPORT COMMITTEE HAD DONE PREVIOUSLY (SEE OTTAWA 737)--THAT FIFTEEN DAY PERIOD FOR EXPRESSING DISSATISFACTION CONTAINED IN PRESENT ARTICLE XIII WAS NO LONGER CONSIDERED ADEQUATE. SUGGESTED GOC MAY FORMALLY PROPOSE AMENDMENT IN NEAR FUTURE.

2. SIMARD ALSO SAID THAT GIVEN THE DIFFICULTIES ATC HAS IN MAKING DETERMINATIONS UNDER SUCH A SHORT TIME FUSE, AND THE NEED TO GIVE USG NOTICE BY THE FIFTEENTH DAY, EXTAFF'S ROLE BECOMES UNDULY ONE OF A RUBBER STAMP. A LONGER TIME PERIOD WOULD GIVE EXTAFF (WITH POSSIBLE ASSISTANCE FROM THE MINISTRY OF TRANSPORT) AN OPPORTUNITY TO SATISFY ITSELF THAT THE GOC WAS NOT UNDULY BEHOLDEN TO CANADIAN CARRIER PRESSURES AND DISAPPROVING FARES WHICH IT MIGHT BE IN THE PUBLIC INTEREST TO APPROVE. TCO EXPRESSED SURPRISE EXTAFF WAS NOT REVIEWING ATC DETERMINATIONS AND SUGGESTED WHETHER OR NOT THE RATE ARTICLE WAS AMENDED THERE SHOULD BE A GOC PROCEDURE

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WHEREBY THE PROPOSALS OF THE ATC FOR EXPRESSING

DISSATISFACTION WERE REVIEWED PRIOR TO TRANSMISSION. SIMARD APPEARED TO AGREE AND INDICATED HE WOULD PUT THIS QUESTION ON THE AGENDA OF THE INTERAGENCY COMMITTEE ON CIVIL AVIATION WHICH HAS BEEN MOSTLY CONCERNED WITH ROUTE EVALUATIONS SINCE ITS ESTABLISHMENT LAST YEAR.

3. COMMENT: EMBASSY IS NOT ADEQUATELY AWARE OF THE EXTENT TO WHICH THERE IS SUBSTANTIVE CONCERN IN THE USG WITH MAINTAINING THE FARES PROPOSED BY US CARRIERS AND DISAPPROVED BY THE ATC. HOWEVER, WE FEEL THAT GIVEN THE INCREASED POPULARITY OF NEW PROMOTIONAL FARES AMONG US DOMESTIC AIRLINES, WHICH DOES NOT APPEAR SHARED BY THE CANADIAN CARRIERS, SITUATIONS OF DISSATISFACTION ARE LIKELY TO INCREASE SIGNIFICANTLY IN THE MONTHS AHEAD UNLESS THE US CARRIERS REFRAIN FROM FILING SUCH RATES IN CANADA.

4. DEPARTMENT' GUIDANCE IS REQUESTED AS TO WHETHER WE WOULD BE AMENABLE TO A CHANGE IN THE TIME PERIODS OF ARTICLE XIII AND, IF SO, WHAT TIME PERIODS WE WOULD CONSIDER SATISFACTORY. WE NOTE THAT THE PRESENT ARTICLE XIII IS AN OLD ONE SHOULD THE DEPARTMENT LIKE TO SEE IT REPLACED IN ITS ENTIRETY THAT MIGHT BE DONE THROUGH A ROUTINE EMBASSY NEGOTIATION. TO TEST THE WATER TCO COULD PASS TO SIMARD INFORMALLY A CURRENT MODEL RATE ARTICLE WHICH THE USG HAS FOUND SATISFACTORY AND WHICH IS RELEVANT TO NON-IATA SITUATION.  
PORTER

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## Message Attributes

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